

REMARKS

No amendments are made to the claims. It should be noted that the term “*temporary employee*” is to be interpreted broadly as any worker that works on temporary assignments for an entity. It should also be noted that although this is not prior art, there is a Reexamination (90/008,803) pending on U.S. Patent No. 6,675,151, which is a continuation in part of the 6,334,133 cited by the examiner. All of the art cited by the requester had previously been cited in IDS’.

Reconsideration and withdrawal of the present rejection is respectfully requested in view of the following:

Claims 88-92, 97-114 all require in the context of detailed independent system and method claims

one or more databases having information about a plurality of positions and qualifications for the positions, qualifications of a plurality of temporary employees, and associations with web pages, wherein a different respective web page is associated with each of the respective temporary employees; and

a server configured for:

receiving a message about an open position that includes a designation of one of the temporary employees who is qualified for the open position as a preferred substitute;

updating the information to include information on the open position and the preferred substitute that was designated;

notifying the preferred substitute who was designated of the specific open position by at least posting information about the specific open position at least to the web page associated only with the preferred substitute who was designated and the specific open position being specially marked thus differentiating the specific open position from other open positions listed on the web page associated only with the preferred substitute; and

allowing other qualified temporary employees the opportunity to fill the specific open position only in the event that the preferred substitute who was designated has not selected the specific open position before the expiration of a specified time period.

Neither Thompson nor Mitsuoka disclose or suggest this combination of elements as a whole.

Thompson discloses in this respect as follows:

“the server 30 may also generate a listing of opportunities for replacement workers 22 and make the listing available through a web site interface. Replacement workers 22 may access the site and select an assignment.” (Column 10, lines 33-42)

Mitsuoka discloses the use of a broker web site that lists jobs to be brokered to contractor translators. Fig. 6 is a drawing of a job page displayed on a client computer when a contractor translator requests further information about a translation job listed on the generic broker website. At line 61, column 8 –column 9, line 6, it states that the contractor translator receives notifications of jobs via email and may choose to respond by accessing the generic broker web site, reading the description of the job, and applying for the job by clicking an “Apply” button screen on the generic web site.

“By referring to the stored contractor’s e-mail address, job offer notifications can be sent out, for example, by e-mail, to the registered contractors.

“When the contractor client 200 has received a job offer notification, the contractor can access the broker site with the contractor client 200 to check an offered job description on-screen and decide whether to apply for the job or not.

“Fig. 6 shows a schematic drawing of an example of a screen displayed by the contractor client 200 when a job has been offered. The screen in FIG. 6 is almost the same as the screen in FIG. 3. However, it is not possible to enter information, and the buttons on the lower right of the screen is marked “Apply.”

The patentable differences of the claim as a whole over either of these references alone or combined are clear.

With respect to claims 115-116, the claims recite:

A system comprising:

one or more databases having information about a plurality of open positions and qualifications for the open positions, qualifications of a plurality of temporary employees, and associations with web pages, wherein a different respective web page is associated with each of the respective temporary employees;

a web server configured for:

receiving a message about one or more new open positions;

updating the information to include information on the one or more open positions;

filtering one or more of the open positions for each of a plurality of temporary employees, wherein the filtering comprises for each particular temporary employee determining based on the qualifications for the respective open positions and the qualifications of the particular temporary employee a list comprising only one or more open positions for which the particular temporary employee is qualified;

posting position data on the respective web pages associated with the respective temporary employees based on the filtering, wherein the position data comprises for the particular temporary employee the respective list of one or more open positions for which that particular temporary employee associated with the web page is qualified;

receiving an electronic response from one of the temporary employees selecting a position posted on the web page associated with the one temporary employee; and

removing immediately the position selected as an
available open position.

Neither Thompson nor Mitsuoka, alone or combined, disclose or suggest this claimed combination as a whole with its substantial advantages. Claims 117-118 are allowable for the same reasons.

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.

Respectfully submitted,

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